DISARMAMENT FACT SHEETS

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Fact Sheet No. 12

THE NON-PROLIFERATION OF NUCLEAR WEAPONS

"The goal of nuclear non-proliferation is on the one hand to prevent the emergence of any additional nuclear-weapon States besides the existing five nuclear-weapon States and on the other progressively to reduce and eventually eliminate nuclear weapons altogether. This involves obligation and responsibilities on the part of both nuclear-weapon States and non-nuclear-weapon States, the former undertaking to stop the nuclear arms race and to achieve nuclear disarmament by urgent application of the measures outlined in the relevant paragraphs of this Final Document and all States undertaking to prevent the spread of nuclear weapons." (Final Document of the Special Session of the General Assembly devoted to disarmament, paragraph 65.)

The Dangers of Nuclear Proliferation: At the time the Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature (1968) five states - China, France, the Soviet Union, the United Kingdom and the United States - had carried out nuclear explosions. In late May 1974 India informed the Conference of the Committee on Disarmament (CCD) that on the 18th of that month it had "carried out a peaceful nuclear explosion experiment", but had "no intention of developing nuclear weapons."[1]

A recent publication of the Stockholm International Peace Research Institute (SIPRI)[2] estimates that between 30 and 40 other States now have the potential to produce nuclear weapons by the year 2000.

A report[3], prepared by the United Nations Secretary-General with the assistance of qualified consultant experts, completed in 1967, concluded that "the solution of the problem of ensuring security cannot be found in an increase in the number of States possessing nuclear weapons". The report also held that "any further increase in the number of nuclear States ..... would lead to greater tension and greater instability in the world." It went on to recommend an "International agreement against the further proliferation of nuclear weapons and agree-

1/ CCD/PV.637, page 6
2/ "Postures for Non-Proliferation", SIPRI, Taylor & Francis, London 1979
3/ Effects of the possible use of nuclear weapons and the security and economic implications for States of the acquisition and further development of these weapons" (A/6858 Sales No. E 68.IX.1)

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ments on measures of arms control and disarmament which will promote the security of all countries."

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Deliberations and negotiations on non-proliferation: The idea of preventing the spread of nuclear weapons was first raised as a separate issue in the General Assembly by Ireland at its thirteenth regular session in 1958 and was considered at that session and subsequent sessions until the Treaty was opened for signature.

In June 1965 the United Nations Disarmament Commission adopted a resolution (DC/225), which called on the Eighteen Nation Committee on Disarmament (ENDC) to "accord special priority to the consideration of the question of a treaty or convention to prevent the proliferation of nuclear weapons." Intense negotiations began in the ENDC in 1965. In November 1965 the General Assembly adopted resolution 2028 (XX), which stated the principles which should guide non-proliferation negotiations. One of these principles said that "The treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear powers."

Negotiations continued in the ENDC into 1967 and 1968 and were eventually concluded at a specially reconvened session of the General Assembly which met from April to June 1968.

The Non-Proliferation Treaty: The Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature in London, Moscow and Washington on 1 July 1968 and entered into force on 5 March 1970. Articles I and II of the Treaty provide that:

- Nuclear Weapon States (NWS) are (i) prohibited from transferring nuclear weapons or other nuclear explosive devices or control over them to any recipient whatsoever; (ii) not allowed to assit, encourage or induce any non-nuclear weapon State to manufacture or acquire such weapons.

- Non-Nuclear Weapon States (NNWS) are prohibited from (i) the receipt of nuclear weapons and nuclear explosive devices from any transferer whatsoever; (ii) the manufacture or other acquisition of nuclear weapons or other explosive devices. (There is no provision to prevent the development by NNWS of non-nuclear components of nuclear weapons.)

Each State undertakes (Art. III) to accept safeguards which are to be set forth in an agreement with the International Atomic Energy Agency. These safeguards are to prevent the diversion of nuclear energy from peaceful purposes to nuclear weapons or other explosive nuclear devices. All Parties (Art. IV) undertake to facilitate the fullest possible exchange of equipment, materials and information for the peaceful uses of nuclear energy. Countries in a position to do so are also obligated to co-operate in the development of nuclear energy for peaceful purposes, especially for NNWS in developing countries. Article V provides for making any benefits from the peaceful applications of nuclear explosions available to NNWS at the lowest possible cost. Negotiations on an agreement or agreements for this purpose were to begin as soon as possible through an appropriate international body, after the treaty entered into force.

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Each of the parties undertakes (Art. VI) "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date, and to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control." The remaining articles deal with such questions as review conferences, amendments to the Treaty, signature and ratification, withdrawal and the duties of the Depository Governments.

By Security Council resolution 255 (1968), adopted on 19 June 1968 at the initiative of the USSR, the UK and the US, the Council welcomed the intention expressed by the three nuclear-weapon States that they would provide support or immediate assistance, in accordance with the Charter of the United Nations, to any non-nuclear-weapon State party to the non-proliferation Treaty that was a victim of an act or an object of a threat of aggression in which nuclear weapons were used.

1975 Review Conference: "Pursuant to Article VIII(3) of the Treaty, a Conference of Parties to the Treaty was held in Geneva in May 1975 to review the operation of the Treaty with a view to assuring that the purposes of its Preamble and its provisions were being realized. 58 of the then 90 States Parties to the Treaty and 7 signatories participated in the Review Conference. After long deliberations, the Conference adopted by consensus (with added interpretative statements) a Final Declaration."

The Conference reaffirmed the purposes and principles of the Treaty and:

- Agreed that Articles I and II had been faithfully observed;
- Recommended the intensification of efforts towards the standardisation and the universality of application of IAEA safeguards and noted with satisfaction the establishment by the Director-General of the IAEA of a standing advisory group on the implementation of safeguards (Art. III);
- Recognized the need for the fullest exchange of nuclear materials, equipment and technology for the development of the peaceful uses of nuclear energy (Art. IV);
- Took the view that developed States Party should as soon as possible make provision for special assistance in the peaceful uses of nuclear energy for developing countries (Art. IV);
- Reaffirmed the obligations of State Parties in Art. V;
- Noted that the potential benefits under Art. V could be made available to NNWS not Party to the treaty;
- Considered the appropriate international body referred to in this article to be the International Atomic Energy Agency and urged it to expedite work in this field and to set up appropriate machinery in which inter-governmental discussions can take place;
- Welcomed agreements on arms limitation concluded over the previous few years as contributing to the implementation of Art. VI, but expressed "its serious concern that the arms race, in particular the nuclear arms race, is continuing unabated", and urged "constant and resolute efforts by each of the Parties to the Treaty, in particular by the Nuclear Weapon States to achieve an early and effective implementation of Art. VI of the Treaty";
- Appealed for a comprehensive test ban, a restriction in the numbers of underground nuclear tests, a SALT II agreement and for progress towards general and complete disarmament;
- Asked the United Nations to consider ways of improving existing facilities on disarmament information in order to keep governments and world opinion informed of the realisation of the provisions of Art. VI;

- Noted Security Council resolution 255 (1968) which welcomed statements by the UK, USA, USSR that they would provide or support immediate assistance to any NNWS party to the Treaty which became a victim of an act or the object of a threat of aggression in which nuclear weapons were involved;
- Proposed that a second Review Conference of the Parties to the Treaty be held in 1980.

Different Approaches: The First Review Conference revealed fundamental differences in the perception of the Treaty. Article VI was central to this difference. Many NNWS were strongly committed to the principle of balanced mutual responsibilities and obligations and considered that the Non Proliferation Treaty needed to be developed into an equitable arms limitation and security regime. For them progress in disarmament was crucial to the success of non-proliferation. The NWS considered that the basic provisions of the NPT, as contained in Articles I and II, had been met and that this was a gain for the security of the whole world. Also, some progress had been made in disarmament, as was witnessed by the SALT I Treaty, and continued efforts would be made.

Preparations for the Second Review Conference: A Preparatory Committee of States Party was established in 1978 and held three sessions (17-20 April 1979, 20-24 August 1979 and 24 March-30 April 1980). The Conference will be held in Geneva from 11 August to 5 September 1980. The following background papers are to be presented:

From the Secretariat of the United Nations:

Working paper on the basic facts on the realization of the tenth paragraph of the Preamble to the Treaty, which is concerned with "achieving the discontinuance of all test explosions of nuclear weapons for all time".
Working papers on Art. I and II; the basic facts covering Art. IV and V; and Art. VI (3 papers).

From the International Atomic Energy Agency:

On its activities under art. III, IV and V (3 papers).

From the Agency on the Prohibition of Nuclear Weapons in Latin America (OPANAL):

A memorandum in response to a request from the Preparatory Committee.

The Provisional Agenda provides for a detailed review of the operation of the Treaty on an article by article basis. There are, in addition, specific items covering "Security Assurances" and the "Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security".

Potential Main Issues: The debate at the second Review Conference will probably continue to centre on issues concerning the balance between the responsibilities and obligations of nuclear-weapon states and non-nuclear-weapon states, in light of developments since the first Review Conference.

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Fact Sheet No. 13

BACTERIOLOGICAL (BIOLOGICAL) WEAPONS*

What is a Bacteriological (Biological) Weapon? Bacteriological (biological)agents of warfare are living organisms or infective material obtained from them that rely for their effect on multiplying inside the person, animal or plant attacked. They consist of bacteria, rickettsiae, viruses or fungi especially cultivated to either kill or incapacitate. For military purposes all these are recognized as "bacteria". In order to be inclusive and avoid any possible ambiguity, the term "bacteriological (biological)" has come to be used. It covers all forms of biological weapons, present and future, whether bacteriological or not.

Viruses are the smallest form of life and can only be grown on living tissue. Bacteria are larger and can easily be grown on a large scale, using incubation techniques. Rickettsiae are intermediate in size and like viruses can only grow on living tissue. Fungi produce a number of human diseases, but have little potential in bacteriological (biological) warfare. These agents represent a different class of weapons, due to their unique action on living matter.

Among the diseases that can be deliberately caused by bacteriological (biological) agents are: yellow fever, desert fever, typhoid, cholera, plague and many animal diseases, some of which, such as anthrax and Q fever, can infect humans. The military aim of such weapons would be the introduction or re-introduction of a disease on an epidemic scale.

The Effects of Bacteriological (Biological) Agents: The effectiveness of an attack would depend on the extent to which the target population had been immunized, the presence of factors favouring the spread of the disease and the condition of the public health services.

Bacteriological (biological) agents, unless transmitted by insects, have little power to penetrate the skin. Infection would therefore be through the respiratory tract, which is susceptible to many micro-organisms. The bacteriological (biological)

*The technical and scientific information under the first four headings of this Fact Sheet is based on the UN Secretary-General's Report on "Chemical & Bacteriological (Biological) Weapons and the Effects of their possible use", A7575 Rev. 1

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agents would be released by bombs or missiles to form an "aerosol cloud". This method would cover a large target area. The effects of a hypothetical attack on a totally unprotected population by a bacteriological weapon (10 tons) carried by one strategic bomber would be: 50% deaths over an area of 100,000 square kilometres. 25% further deaths in the case of medical non-intervention.

Other effects could include the creation of new centres from which epidemics could spread and which may persist for many years, with unknown effects regarding both the duration and geographic spread of disease.

Proliferation Risks: The risks of proliferation are great. Any country with a reasonably advanced industry and scientific capacity could produce such weapons and manufacture or otherwise obtain the necessary means of delivery.

Protection Measures: Measures for adequate and effective protection are costly and complex. They would need to provide for detection and identification of the agents, warning of the public, protection of the respiratory tract and skin in humans, decontamination and prophylaxis (preventive treatment against the disease). Vaccination is the only useful means of prophylaxis, but it is probable that existing vaccines might afford only limited protection against agents disseminated into the air in large amounts. Furthermore, whole populations could not be vaccinated against all possible diseases. Such civil defence measures against an attack by a bacteriological (biological) weapon on a population of 100-200 million would cost between 15-25 billion dollars. Even a well-planned and implemented programme could not assure that absolute protection for humans would be achieved, while protection of animals would be virtually impossible.

International Control: On June 17, 1925 the Geneva "Protocol for the Prohibition of the Use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare" was signed. Bacteriological weapons were included, as they were seen as a future danger. The protocol only applied to use and had no provisions on the development, production and stockpiling of such weapons.

Though some earlier attention was given to them by various UN bodies and they were included in proposals for general and complete disarmament in the 1950's, it was not until the following decade that chemical and bacteriological (biological) weapons came to the forefront of disarmament. On December 5, 1966 the General Assembly, by 91 votes to 0 with 4 abstentions, called, in resolution 2162 B (XXI), for the "strict observance by all states of the principles and objectives" of the 1925 Protocol and invited all states to accede.

Up to this time the two classes of weapons, viz. chemical and bacteriological ones, had been considered together. In 1968 the United Kingdom submitted a working paper 1/ based on the assumption that the Geneva Protocol was not an entirely satisfactory instrument for dealing with chemical and micro-biological warfare and suggesting that the problem could become more manageable by considering chemical and microbiological methods of warfare separately. The U.K., therefore, proposed the early conclusion of a convention banning micro-biological methods of warfare which would "supplement, but not supersede the Geneva Protocol." Generally, Western countries were sympathetic to this approach, whilst non-aligned and socialist countries had serious misgivings. In their view the Geneva Protocol was not obsolete since its provisions covered new as well as earlier methods and agents of warfare.

1/ DC/231 Annex I (ENDC 231)

The consideration of this question led to the adoption on 20 December 1968 by the General Assembly of resolution 2454 A (XXIII) requesting the Secretary-General to prepare with the assistance of a group of experts, a report on the effects and possible use of chemical and bacteriological means of warfare. Following this report [1] the U.K. submitted a draft convention [2] on 10 July 1969 which was limited to the prohibition of biological methods of warfare. On 10 September the USSR and eight other socialist states submitted a second draft convention [3] which dealt with both chemical and bacteriological (biological) weapons. Negotiations took place in the Conference of the Committee on Disarmament (CCD), the new name for the ENDC after the expansion of its membership in 1969. The USA, in support of the British proposal, said that there were differences between the two types of weapons: that biological weapons presented less intractable problems and that an agreement on banning them should not be delayed until agreement on chemical weapons could be reached. States which favoured the comprehensive approach, in supporting the Soviet draft, pointed out that the two categories had always been treated together and that a separate biological convention might intensify the chemical arms race.

On 16 December 1969 the General Assembly adopted resolution 2603A (XXIV), which referred to the Report of the Secretary-General and to the foreword in which he urged members of the United Nations to make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents. The operative paragraph of this resolution clearly affirms the inclusive nature of the Protocol.

Early in 1970 the USA and a few other states independently announced that they neither had any biological weapons nor the intention of producing them. These commitments increased the likelihood of obtaining a binding international instrument and on 30 March 1971 the USSR and five socialist countries responded with a new draft convention on biological weapons and toxins. [4] A number of states, particularly the non-aligned, still preferred a comprehensive prohibition. Even accepting that the convention was to be limited to biological weapons, they considered that the proposed ban was not sufficiently exhaustive and did not include research. On 5 August 1971, following further negotiations, the sponsors of the 30 March draft convention and the United States submitted separate, but identical texts of a new draft convention [5] on bacteriological (biological) and toxin weapons. The main objection to these drafts was the lack of a ban on research. Such a ban, in the view of many States, would considerably strengthen the convention. It was argued, on the other hand, that research work was indispensable for prophylactic and other peaceful purposes and that, in view of the proposed total destruction and prohibition of production, such a provision would be redundant. Improvements which strengthened the text and closed possible loopholes were agreed and on 28 September 1971 a revised draft convention was submitted by Bulgaria, Canada, Czechoslovakia, Poland, Romania, the USSR, the U.K. and the USA and duly transmitted to the General Assembly.

The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction was annexed to resolution 2826 (XXVI), which was adopted by the General Assembly of the United Nations on 16 December 1971. The Convention was opened for signature on 10 April 1972 and entered into force on 26 March 1975. As of March 21, 1980 there were 87 Parties and 37 Signatories to the Convention.

1/ A/7575 or S/9292 Sales No. 60.1.24
2/ Supplement for 1969, doc. DC/232 Annex C (ENDC 253 and Rev. 1)
3/ Official Records of the General Assembly, 24th Session, Annexes agenda item 104, document A/7655
4/ Supplement for 1971 document DC/234 (CCD/325/Rev. 1)
5/ Ibid (CCD/337 and 338)

Under the Convention[1] States Parties undertake "never in any circumstances to develop, produce or otherwise acquire or retain" (i) "microbial or other biological agents or toxins" that have no justification for "prophylactic protection or other peaceful purposes" (ii) "weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict". Existing agents, toxins, weapons, equipment and means of delivery as specified are to be destroyed or diverted to peaceful purposes not later than nine months after the Convention's entry into force. Parties to the Convention undertake not to transfer to any recipient such weapons or their means of delivery or assist, encourage or induce states to manufacture or otherwise acquire them. They also undertake to consult and co-operate in solving problems relating to the principles of the Convention. Parties which find that any other party is acting in breach of its obligations under the Convention may lodge a complaint with the Security Council. States party undertake to continue negotiations in good faith towards the objective of an effective prohibition of chemical weapons. They also undertake to participate in the fullest exchange of equipment, materials and scientific information for peaceful purposes.

Review Conference: As provided for in Article XII of the Convention, a review conference of the Parties was held in Geneva from 3-21 March 1980, 5 years after its entry into force, to review the operation of the Convention and to ensure that its provisions were being adhered to. 53 of the 87 States Parties to the Convention and 8 of the 37 signatories that had not so far ratified the instrument, participated.

In a Final Declaration the States Parties reaffirmed "their strong determination for the sake of all mankind to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons" and stated their joint views on each of the fifteen articles in the Convention. The Conference believed that the Convention had proved sufficiently comprehensive to have covered recent scientific and technological developments. This particularly related to potential genetic manipulation by bacteriological (biological) weapons. It welcomed declarations from several Parties regarding the non-possession, destruction or diversion to peaceful purposes of bacteriological weapons. The Conference believed that these declarations "contribute to increased confidence in the Convention" and "that states not having made such voluntary declarations should do so."

Articles V, VI and VII, which deal with breaches of obligations, were the subject of considerable debate.

Under Article VI, any State Party may lodge a complaint with the Security Council if it considers that another State Party is acting in breach of the Convention. Furthermore, each State Party undertakes to co-operate in carrying out any investigation which the Security Council may initiate. This meant that the permanent members of the Security Council could theoretically veto such enquiries, including those on the technical nature of suspected activities. The representative of Sweden, supported by a number of other participants, proposed an amendment. This was to provide for a permanent Consultative Committee of representatives of Parties which would "arrange fact findings, including preparations and execution of on-site visits and reporting to the Parties. It was intended that only after such possibilities had been exhausted should complaints be lodged with the Security Council. Conversely, a number of States urged that the existing procedure of lodging complaints and verifying compliance with the Convention be maintained. They considered that the provisions of Art. V contained extensive possibilities for carrying out the necessary

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measures in relation to the application of the provisions of the Convention. There was a danger that an amendment would undermine the Convention which was the "first measure of genuine disarmament". As a compromise it was agreed in the section of the Final Declaration on Art. V that:

1) these (the existing) procedures include *inter alia* that any State Party has the right to request a consultative meeting open to all State Parties at the expert level, and

2) in view of the difference of views, the question should be "further considered at an appropriate time."

The Conference called on those states that had not yet done so to accede to the 1925 Geneva Protocol.

The lack of progress towards a convention on chemical weapons was one of the main causes of concern. The Review Conference deeply regretted "that such an agreement has not yet become a reality, despite the fact that eight years have already elapsed since the (Biological Weapons) convention was opened for signature." The *Ad Hoc* Working Group on chemical weapons, established by the Committee on Disarmament on 17 March 1980, was welcomed by the Conference. This Group is to define the issues to be dealt with in negotiations on a chemical weapons convention. The Conference took note of the report of the USA and the USSR (CD/48) on progress in their bilateral negotiations on this subject.

The Conference called on Parties, especially developed countries, to increase their scientific and technical co-operation, particularly with developing countries in the peaceful uses of bacteriological (biological) agents and toxins. It also noted with satisfaction that the implementation of the Convention has not hampered the economic or technological development of Parties.

Participants held three different views regarding the holding of another Review Conference. The first was that it should be held after a certain period of time: five to seven years was suggested. The second was that it should be held only if its necessity became evident and if the majority of states so decided. The third was an extension of this and proposed that one could be called after five years if the majority of Parties so requested, or after ten years upon the request of a specified number, not necessarily a majority. The Conference finally decided that a second Review Conference would be held in Geneva at the request of a majority of Parties, not earlier than 1985 and not later than 1990.